

1 JAMES N. PENROD (State Bar No.: 43030)
2 MORGAN, LEWIS & BOCKIUS LLP
3 1 Market, Spear Tower
4 San Francisco, CA 94105
5 Telephone: (415)-442-1000
6 Facsimile: (415)-442-1001
7

5 Attorneys for SUN MICROSYSTEMS, INC.,
6 MORGAN, LEWIS & BOCKIUS LLP AND MAKING
7 A SPECIAL APPEARANCE FOR JEFFREY
8 KINGSTON WHO HAS NOT BEEN SERVED AND IS
9 NOT WAIVING SERVICE

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re Application of Microsoft Corp.

Case No. 06-80038 JF (PVT)

PROOF OF SERVICE

Date: To Be Set
Time: To Be Set
Before: Hon. Jeremy D. Fogel
Place: To Be Set

Complaint Filed: N/A
Trial Date: N/A

PROOF OF SERVICE

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is One Market, Spear Street Tower, San Francisco, CA 94105-1126. On April 17, 2006, I served the within documents:

- **RESPONSE OF SUN MICROSYSTEMS INC., MORGAN, LEWIS & BOCKIUS AND, BY SPECIAL APPEARANCE, JEFFREY KINGSTON, TO MICROSOFT CORPORATION'S OBJECTIONS TO MAGISTRATE'S ORDER**
- **SUPPLEMENTAL DECLARATION OF JAMES N. PENROD IN SUPPORT OF RESPONSE TO MICROSOFT CORPORATION'S OBJECTIONS TO MAGISTRATE'S ORDER**
- **SUPPLEMENTAL DECLARATION OF JEFFREY KINGSTON IN SUPPORT OF RESPONSE TO MICROSOFT CORPORATION'S OBJECTIONS TO MAGISTRATE'S ORDER**
- **SUN MICROSYSTEMS INC., MORGAN, LEWIS & BOCKIUS LLP, AND JEFFREY KINGSTON'S, BY SPECIAL APPEARANCE, MOTION TO AUGMENT THE RECORD**
- **SUN MICROSYSTEMS INC., MORGAN, LEWIS & BOCKIUS LLP, AND JEFFREY KINGSTON'S, BY SPECIAL APPEARANCE, AMENDED MOTION TO AUGMENT THE RECORD**
- **RESPONSE OF SUN MICROSYSTEMS INC., MORGAN, LEWIS & BOCKIUS LLP AND, BY SPECIAL APPEARANCE, JEFFREY KINGSTON, TO MICROSOFT CORPORATION'S MOTION FOR *DE NOVO* REVIEW**
- **[PROPOSED] ORDER GRANTING SUN MICROSYSTEMS, INC, MORGAN, LEWIS & BOCKIUS LLP, AND JEFFREY KINGSTON'S, BY SPECIAL APPEARANCE, MOTION TO AUGMENT THE RECORD**

- by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as set forth below.
- by placing the document(s) listed above in a sealed Federal Express envelope and affixing a pre-paid air bill, and causing the envelope to be delivered on April 17, 2006, to a Federal Express agent for delivery.
- by causing the document(s) listed above to be personally delivered to the person(s) at the address(es) set forth below.

by transmitting via electronic mail the document(s) listed above to each of the person(s) as set forth below.

ATTORNEYS	PARTIES	METHOD OF FILING
Richard Allen Jones Covington & Burling One Front Street , 35th Floor San Francisco, CA 94111 415-591-7065 Fax: 415-955-6565 Email: rjones@cov.com	Microsoft Corporation	E-FILING
Joshua David Wolson Covington & Burling 1201 Penssylvania Avenue N.W. Washington, DC 20004 202-662-6000 Email: jwolson@cov.com	Microsoft Corporation	E-FILING
William D. Iverson Covington & Burling 1201 Pennsylvania Avenue, N.W. Washington, DC 2004 202-662-6000	Microsoft Corporation	VIA FEDERAL EXPRESS

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on April 17, 2006, San Francisco, California.

I declare under penalty of perjury, under the laws of the State of California and the United States of America, that the foregoing is true and correct.

/s/
MARGARET Y. TAI